

Service Date: June 6, 1996

FINAL ORDER NO. 6405

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, PO Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF **Raphael R. Roberts**)
dba Airport Shuttler, Missoula, Montana) Docket No. T-
96.27.PCN
the application for a Montana Intrastate) Order No.
6405
Certificate of Public Convenience and Necessity.)

The Commission, being fully advised in the premises, makes the
following findings, conclusions and order:

FINDINGS OF FACT

1. On March 29, 1996 **Raphael R. Roberts dba Airport Shuttler**,
3104 Bancroft, Missoula, MT 59801, filed an application with the
Montana Public Service Commission under Title 69, MCA, for a
Certificate of Public Convenience and Necessity authorizing
transportation of the following:

Class B - Passengers between all points and places within
the City of Missoula and a ten (10) mile radius thereof.
Limitations: (1) Transportation is limited to suburban/van
service (a) from hotels, motels, businesses, and residences
to the Missoula International Airport (b) from Missoula
International Airport to hotels, motels, businesses, and
residences. (2) Transportation of groups requiring a
vehicle with rated seating capacity of (9) passenger or more
is prohibited. (3) Transportation of airline passengers who
are being transported by alternate means from Missoula
International Airport as a result of weather related
problems or airport closure is prohibited. (4)
Transportation of all athletic teams, student organizations,
and other groups in competition with the University of
Montana is prohibited.

2. In accordance with Section 69-23-321, MCA, this matter was

noticed to the public May 2, 1996. That notice said in pertinent part:

If no written protests are received by May 22, 1996, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were received from Valet Limousine, Inc., Missoula, Montana and Beach Transportation Co., Missoula, Montana. All protests were withdrawn with the filing of Applicant=s amendments to the scope of proposed authority. The stipulated amendments are incorporated into the Order granting authority herein.

4. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, PO Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 28th day of May, 1996, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-95., and the Commission being fully advised in

the premises;

IT IS ORDERED by the Commission that the application of **Raphael R. Roberts dba Airport Shuttler**, Missoula, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers (a) from hotels, motels, businesses, and residences within the city of Missoula, Montana and a ten (10) mile radius thereof to the Missoula International Airport and (b) from Missoula International Airport to hotels, motels, businesses, and residences within the City of Missoula and a ten (10) mile radius thereof. All transportation under this certificate will either originate or terminate at Missoula International Airport. Limitations: (1) Transportation is limited to suburban/van service and excludes motor coaches, buses, and limousines. Limousine and charter services are prohibited. (2) Transportation of groups requiring a vehicle with rated seating capacity of nine (9) passenger or more is prohibited. (3) Transportation of airline passengers who are being transported by alternate means from Missoula International Airport as a result of weather related problems or airport closure is prohibited. (4) Transportation of all athletic teams, student organizations, and other groups in competition with the University of Montana is prohibited.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 28th day of May, 1996, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.